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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention
of Discrimination and
Protection of Minorities
Forty-sixth session
Agenda item 10

ADMINISTRATION OF JUSTICE AND THE HUMAN RIGHTS OF DETAINEES

Mr. Bengoa, Mr. Bossuyt, Mrs. Chavez, Mrs. Daes, Mr. Decaux, Mr. El-Hajjé, Mr. Fan, Mrs. Forero Ucros, Mr. Guissé, Mr. Hakim, Mr. Hatano, Mr. Khalil, Mr. Fix Zamudio, Mr. Lindgren Alves, Mr. Ramadhane, Mrs. Warzazi and Mr. Yimer: draft resolution

Question of the impunity of perpetrators of violations of human rights

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Guided by the principles enshrined in the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, other relevant human rights instruments and the Geneva Conventions of 12 August 1949,

Recalling the interdependence and indivisibility of civil and political rights and economic, social and cultural rights,

Convinced that the increasingly widespread practice worldwide of impunity for perpetrators of violations of human rights is a fundamental obstacle to the observance of human rights,

Recalling its resolution 1992/23 of 27 August 1992, in which it decided to request Mr. El Hadji Guissé and Mr. Louis Joinet to draft a study on the impunity of perpetrators of violations of human rights, and Commission on Human Rights resolution 1993/43 of 5 March 193, in which the Commission endorsed the decision of the Sub-Commission,

Recalling further its resolution 1993/37 of 26 August 1993 and Commission on Human Rights resolution 1994/44 of 4 March 1994,

Bearing in mind paragraph II.91 of the Vienna Declaration and Programme of Action (A/CONF.157/23), in which the World Conference on Human Rights supported the efforts of the Commission and the Sub-Commission to intensify opposition to the impunity of perpetrators of serious violations of human rights,

1. Welcomes with satisfaction the preliminary report (E/CN.4/Sub.2/1994/11) on the question of the impunity of perpetrators of violations of human rights (economic, social and cultural rights);

2. Decides, in order to facilitate the treatment of the question, to entrust Mr. Joinet with the completion of the first aspect, concerning civil and political rights, and Mr. Guissé with the second aspect, concerning economic, social and cultural rights;

3. Requests the Special Rapporteurs to submit their respective reports to the Sub-Commission at its forty-seventh session;

4. Requests the Secretary-General to provide the Special Rapporteurs with any assistance required to enable them to discharge their task;

5. Invites Governments, competent bodies of the United Nations, the specialized agencies, regional intergovernmental organizations and non-governmental organizations to provide or continue to provide information on the question;

6. Decides to consider the question of the impunity of perpetrators of violations of human rights at its forty-seventh session under the agenda item entitled "The administration of justice and the human rights of detainees".